



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE August 19, 2005 EFFECTIVE DATE September 2, 2005	CONTACT/PHONE Nick Forester 805-781-1163	APPLICANT Nick E. Pokrajac	FILE NO. DRC2004-00245
SUBJECT Request by Nick E. Pokrajac for a Minor Use Permit to allow agricultural processing, including crush press operations and bottling of wine. The use is proposed entirely within an existing 93,800 square foot fermentation and storage building therefore no site disturbance is anticipated. The proposed project is within the Commercial Service land use category and is located 45 Main Street, in the community of Templeton. The site is in the Salinas River planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2004-00245 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption (ED-05-005) was issued on July 7, 2005.			
LAND USE CATEGORY Commercial Services	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 040-291-005	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: None applicable to this project.			
LAND USE ORDINANCE STANDARDS: Section 22.62.050 Minor Use Permit Approval, Section 22.10.140 Setbacks, Chapter 22.18 Parking and loading, Section 22.10.180 Water quality, Section 22.10.120 Noise Standards, Section 22.30.070 Agricultural Processing Uses. Does the project conform to the Land Use Ordinance Standards: Yes - see discussion			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on September 2, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Fermentation and wine storage in 93,800 square foot building.			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Commercial/Residential <i>South:</i> Park <i>East:</i> Residential <i>West:</i> Commercial/Residential			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Templeton Advisory Group, Public Works, Environmental Health, Ag Commissioner, CDF, Templeton Community Services District, and Community Liaison, Karen Nall.	
TOPOGRAPHY: Level.	VEGETATION: None.
PROPOSED SERVICES: Water supply: Community System/Templeton CSD Sewage Disposal: Community System/ Templeton CSD Fire Protection: Templeton Fire Dept.	ACCEPTANCE DATE: June 16, 2005.

DISCUSSION

PROJECT HISTORY:

The existing approximately 93,800 square foot fermentation and wine storage facility was permitted under Development Plan D970098D.

PROPOSED PROJECT: The crush press and bottling operations are proposed to occur completely within the existing structures.

PLANNING AREA STANDARDS: None applicable to this project.

LAND USE ORDINANCE STANDARDS:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	1 acre	4.85 acres
Setbacks: Front	10 feet	Crush press is within existing building which meets required setbacks.
Side	10 feet	
Back	10 feet	
Height	35 feet	Crush press is within existing building which meets required height limits.
Parking (where applicable)	18	32

AGENCY REVIEW:

Public Works - Recommend approval.

Environmental Health - No concerns.

Ag Commissioner - No comments.

CDF - No concerns.

Templeton Community Services District – see attached letter.

RWQCB - No comments.

Templeton Advisory Council - No comments.

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Nick Forester and reviewed by Kami Griffin

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 3 Categorical Exemption (ED-05-005) pursuant to CEQA Guidelines Section 15303 because it is the addition of small equipment to an existing building.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the addition of small equipment within an existing building does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the addition of small equipment within an existing building is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Main Street, an arterial road constructed to a level able to handle any additional traffic associated with the project.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. **This approval authorizes:**
 - a. A Minor Use Permit to allow agricultural processing, including crush press operations and limited bottling of wine proposed entirely within an existing permitted fermentation and wine stage complex.
 - b. Maximum height is 35 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan.

Fire Safety

3. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code dated May 24, 2005.

Noise

4. The project shall comply with the noise limits in the County Noise Element: From 7a.m. to 10p.m. (daytime), noise levels at the project property line shall not exceed an hourly average of 50 dB, with a maximum level of 70 dB, and a maximum impulsive noise level of 65 dB. From 10p.m. to 7a.m. (nighttime) noise levels at the project property line shall not exceed an hourly average of 45dB, with a maximum level of 65 dB, and a maximum impulsive noise level of 60 dB.

Services

5. Prior to discharge of any waste water from the crush press or associated equipment into the Templeton Community Service District sewer, the applicant shall obtain a clearance letter from the Templeton Community Service District authorizing such discharge.

Conditions to be completed prior to issuance of a construction permit

Fees

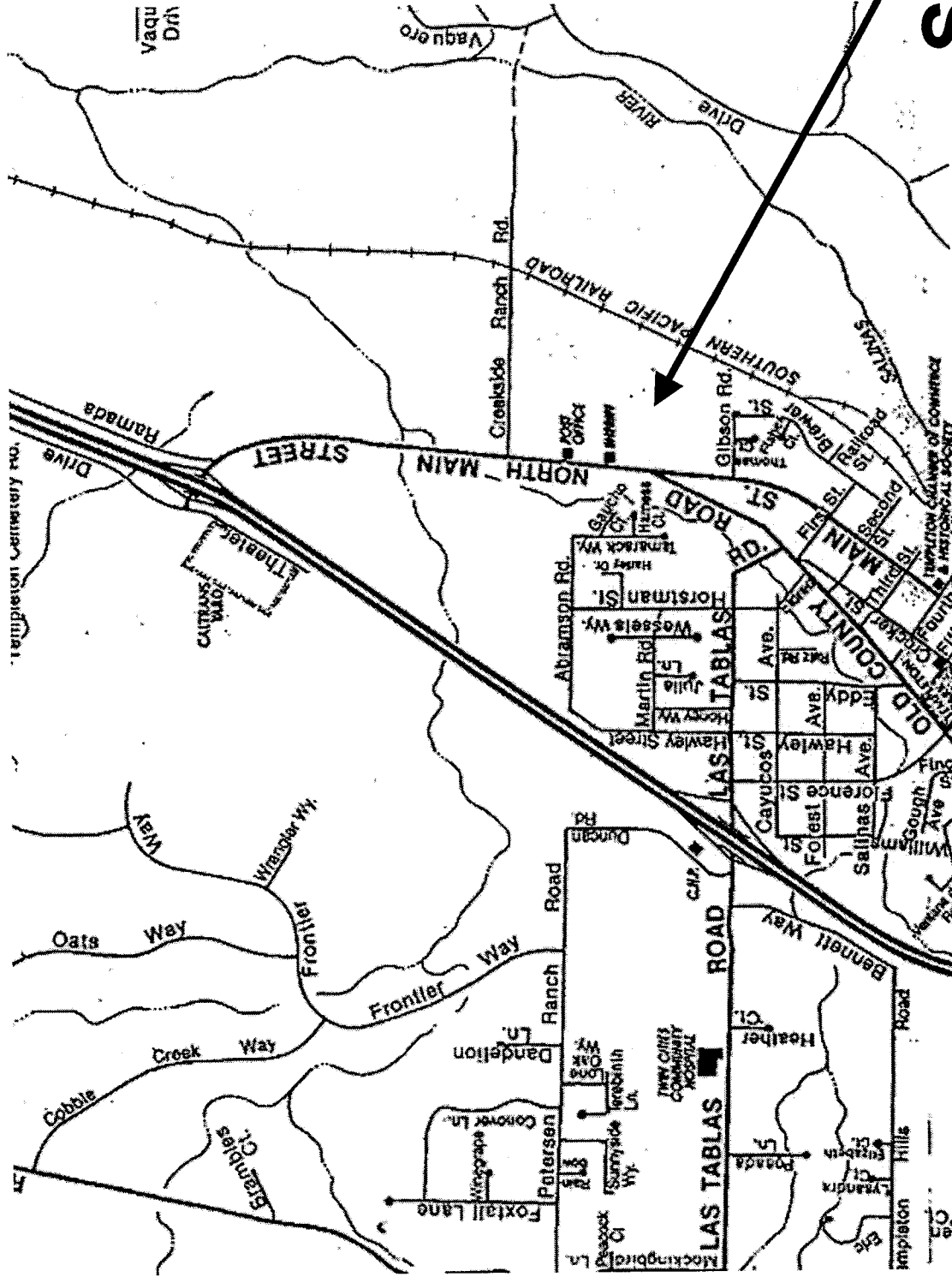
6. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

7. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

On-going conditions of approval (valid for the life of the project)

8. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
9. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

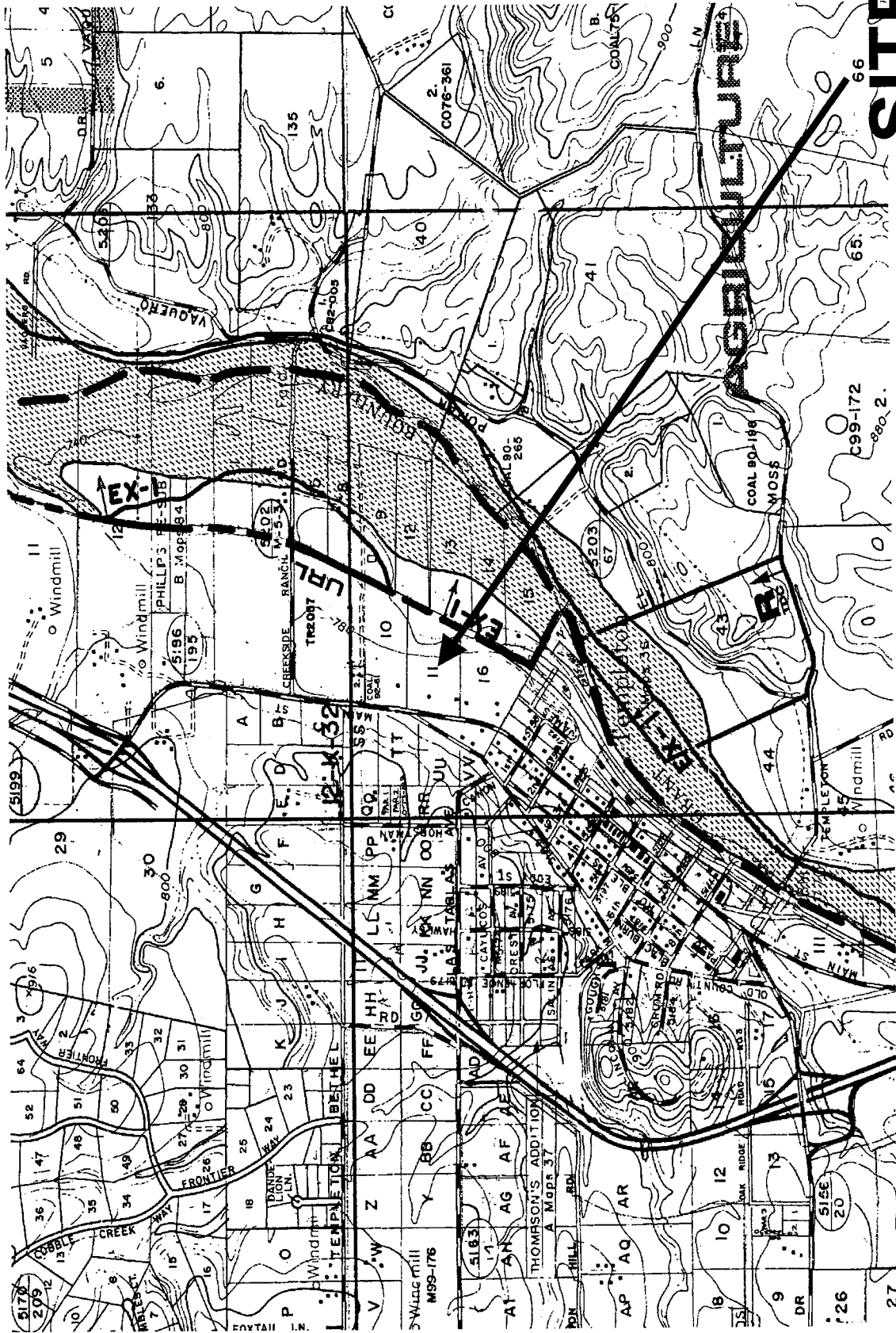


SITE

EXHIBIT
Vicinity Map



PROJECT
Minor Use Permit
Pokrajac DRC2004-00245

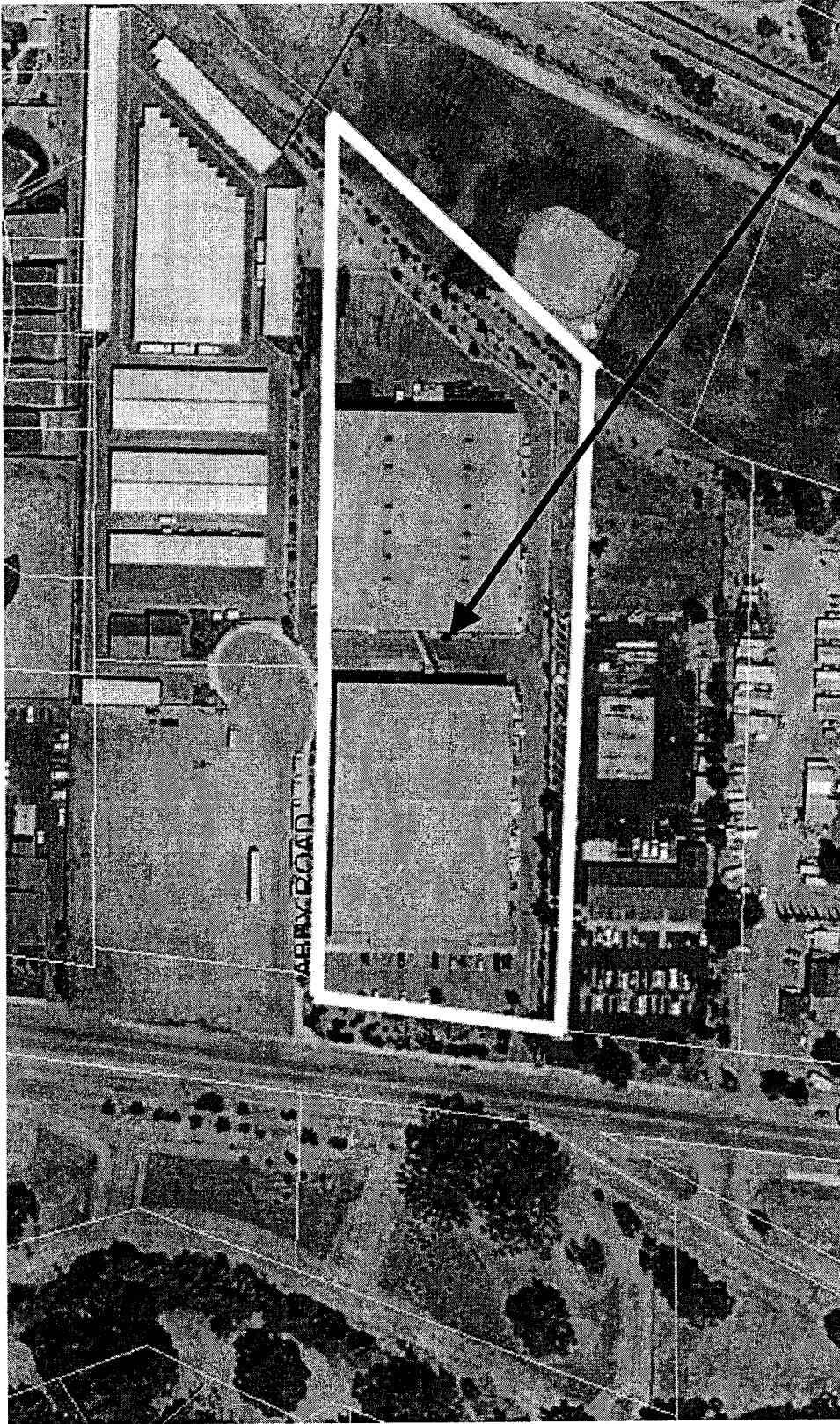


PROJECT

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EXHIBIT

Land Use Category



SITE

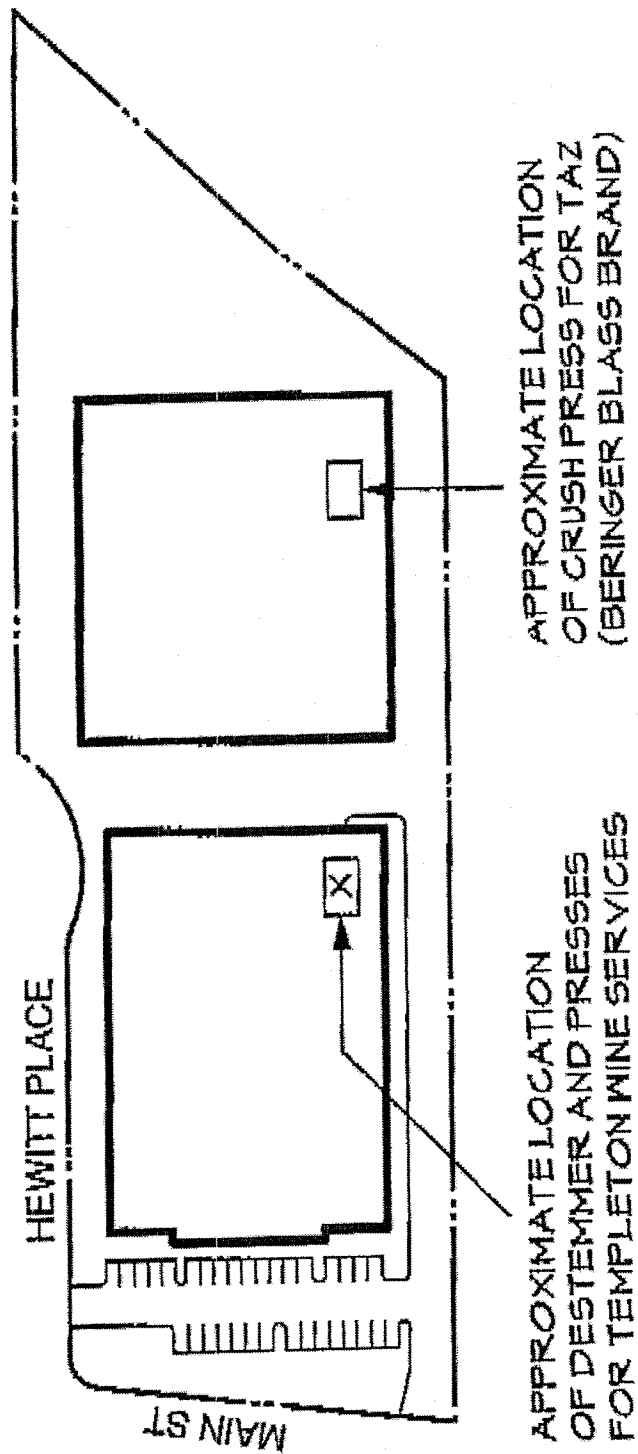
EXHIBIT

Aerial



PROJECT

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PROJECT

Minor Use Permit
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EXHIBIT

Site Plan